

# Interview Summary

Application No.

09/315,796

Applicant(s)

Davis et al.

Examiner

John S. Hilten

Group Art Unit

2854



All participants (applicant, applicant's representative, PTO personnel):

(1) John S. Hilten (3) \_\_\_\_\_

(2) Bob Falk (4) \_\_\_\_\_

Date of Interview Jul 3, 2000

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☒ Yes ☐ No. If yes, brief description:

Letter of 6/6/2000 office action showing a 6/7/2000 mail stamp.

Agreement ☒ was reached. ☐ was not reached.

Claim(s) discussed: None

Identification of prior art discussed:

None

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The mail date concerns of MR. Falk were discussed. Per MPEP 710.06, the response date should be one month from 6/7/2000 not 6/6/2000.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

  
JOHN S. HILTEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.

## FALK &amp; FISH

ROBERT HARDY FALK, P.C.  
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS  
INTELLECTUAL PROPERTY LAW

ATTORNEYS AT LAW  
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FACSIMILE (214) 969-5941  
Internet: <http://www.patent.net>  
EMail: [falk@patent.net](mailto:falk@patent.net)

OFFICES IN DALLAS, TEXAS  
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DALLAS, TEXAS 75379

July 3, 2000

John Hilton, Esq.,  
Supervisory Primary Examiner,  
Art Unit 2854  
United States Patent and Trademark Office  
Washington D.C. 20231

Re: Davis et. al. Serial No. 09/315,796  
Our File: WILL 2501

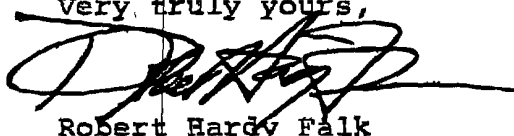
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Very truly yours,



Robert Hardy Falk

Enclosures.

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FIRM/COMPANY: PTO Group 2854

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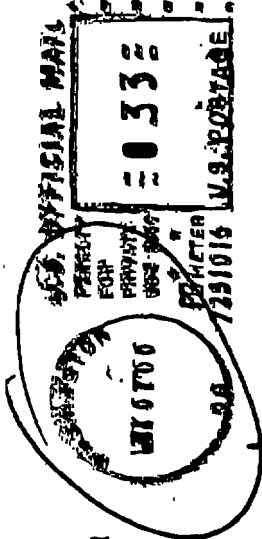
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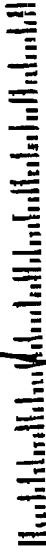
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

B WILL-2501

EXAMINER

MMC270606

ROBERT HARDY FALK  
FALK & FISH LLP  
P. O. box 794940  
DALLAS TX 75297

FUNK S

ART UNIT

PAPER NUMBER

2854

DATE MAILED:

06/06/00

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Commissioner of Patents and Trademarks

COMMUNICATION

Serial No. 09/315,796  
Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

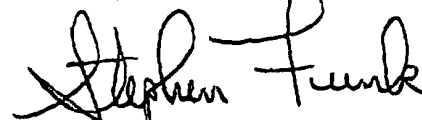
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stephen Funk  
June 1, 2000



STEPHEN R. FUNK  
PRIMARY EXAMINER

\*\*\* APPLICATION INFORMATION DISPLAY \*\*\*

07/06/00 11:37

DETAIL

CONTENTS:

SC/SN: 09/315796

INFORMATION:

27 NINA 0 06/06/00

FILD7: 05/20/99

26 EXIN 0 05/09/00

FATN0:

PURN0:

F315796

25 FWDX E 04/19/00

ISSD7: 00/00/00

PUBD7: 00/00/00

24 A.I. I 04/07/00

ABND7: 00/00/00

PGPUB CL/SC:

23 C604 I 04/07/00

APPL: DAVIS

ET AL

22 C600 I 04/07/00

LOC: 2864 LOCDT: 07/03/00

BATN0:

21 LTDR I 04/07/00

CHG-LOC:

IE TEAM:

00 ISSN0: 00

20 LET. I 04/07/00

CHGTO-NAME: NO NAME FOUND

19 C.A.D 0 03/23/00

TOT ACT: 01 STATUS: 072 STADT: 06/05/00

18 C.A.D 0 03/23/00

RESP CD: NINA START DT: 06/06/00 DUE DT: 07/06/00

17 PTGR 0 03/09/00

EXMR NO/NAME: 69381/FUNK, STEPHEN R

16 PET. I 03/09/00

DOCKET DATE: / / GAI: 2854 L R CD: 01

15 PTDE 0 03/09/00

ATTY DOCK #: WILL-2501 LOST N LOST DT 00/00/00

14 PET. I 03/06/00

APPLN TYPE: 1 TYPE SM ENT: 0 UNMAT PET: N

13 MAIL 0 02/08/00

CURR CL/SC: 101/141.000 FOR PRIOR CL: N PET FROM:

12 CTNF F 02/03/00

TITLE OF INVENTION: UNAVAIL FOR ACTION: N PP UNAVAIL: 8

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 1-141

EXPLANATION OF STATUS AND CONTENTS CODES

SC/SN: 09/315796 FILDY: 05/20/99 PATNO: ISSDT: 00/00/00  
 STATDT: 06/05/00  
 STATUS: 072 RESPONSE TO NON-FINAL OFFICE ACTION HELD  
 NON-RESPONSIVE/INFORMAL  
 27 NINA 0 06/06/00 NOTIFICATION OF INFORMAL OR NONRESPONSIVE AMENDMENT  
 26 EXIN 0 05/09/00 EXAMINER INTERVIEW SUMMARY RECORD  
 25 FWDY E 04/19/00 DATE FORWARDED TO EXAMINER  
 24 A.I. I 04/07/00 INFORMAL /NON-RESPONSIVE AMENDMENT AFTER EXAMINER ACTION  
 23 C604 I 04/07/00 SUBSTITUTE SPECIFICATION FILED P/E  
 22 C600 I 04/07/00 SUPPLEMENTAL DECLARATION OF OATH P/E  
 21 LTDR T 04/07/00 INCOMING LETTER RE DRAWINGS P/E  
 20 LET. I 04/07/00 MISCELLANEOUS INCOMING LETTER  
 19 C.A.D 0 03/23/00 CORRESPONDENCE ADDRESS CHANGE - ONLY P/E

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09315796-052099

16  
10 E.

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**G. BYRON JAMISON, SPECIAL COUNSEL**

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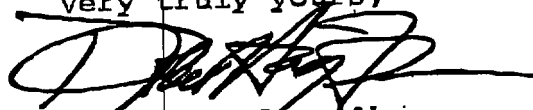
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

R WILL-2501

EXAMINER

MMC2/0606

ROBERT HARDY FALK  
FALK & FISH LLP  
P. O. Box 794940  
DALLAS TX 75397

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Art Unit 2854

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June 1, 2000

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STEPHEN R. FUNK  
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RONALD C. FISH, P.C.

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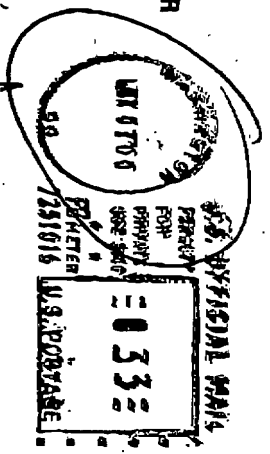
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B WILL-2501

MMC270606

EXAMINER

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FALK & FISH LLP  
P. O. box 794940  
DALLAS TX 75397

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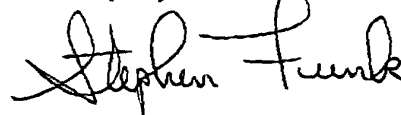
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk whose telephone number is (703) 308-0982. The examiner can normally be reached on Monday - Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten, can be reached at (703) 308-0719. The fax number for incoming official papers is (703) 308-7722, 7724. The fax number for informal papers in Art Unit 2854 is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stephen Funk  
June 1, 2000

  
STEPHEN R. FUNK  
PRIMARY EXAMINER

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07/03/00 16:14 FAX 703 305 3594

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RONALD C. FISH, P.C.

G. PYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS  
INTELLECTUAL PROPERTY LAW

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Internet: <http://www.patent.net>  
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**FACSIMILE COVER LETTER**

FROM: Robert Hardy Falk

DATED: 7-6-2000

SENDER'S PHONE NO.: (214) 954-4400

NUMBER OF PAGES (INCLUDING COVER): 13

TIME IN: 9:20 a.m. CST

PLEASE DELIVER THE FOLLOWING PAGES TO:

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NAME: John Hilten, S.P.E.

FIRM/COMPANY: PTO Group 2854

OUR CLIENT/MATTER NO.: WILL 2501

OFFICE TELEPHONE NO.: (703) 308 0719

FAX TELEPHONE NO.: (703) 308 7722, (703) 308 5841

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660257-9674753

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G. BYRON JAMISON, SPECIAL COUNSEL

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DALLAS, TEXAS 75379

July 6, 2000

John Hilten, Esq.,  
Supervisory Primary Examiner,  
Art Unit 2854  
United States Patent and Trademark Office  
Washington, D.C. 20231

Re: Davis et al., Serial No. 09/315,796  
Our File: WILL 2501

Dear John:

I tried several times to reach you after the holiday, yesterday, and was unsuccessful. Linda Hodge-Taylor granted the one-day extension, and unless I hear from you immediately, I will assume you or in accord. My secretary has an intestinal problem and had almost had to go to the hospital. Enclosed are my correspondence with her.

I need from you the dates you and Mr. Funk are available for the continuation of the interview. We gave you Mr. Prince's available dates, in our last correspondence, attached.

Very truly yours,



Robert Hardy Falk

Enclosures.

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660350-96257560



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**TRANSMISSION COVER SHEET**

DATE: 7/5/00

TO:

NAME:

William Falk

COMPANY/FIRM:

FAX NO:

972-716-9532

FROM:

NAME:

Rinda M. Hodge - Taylor

COMPANY/FIRM:

Patent & Trademark

FAX NO/PHONE NO:

703-308-3765

NUMBER OF PAGES 2 INCLUDING COVER SHEET.

REMARKS:

sn. 09/315,796

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Receptionist:

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Fax:

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305-1341

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**Thank you.**

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RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS  
INTELLECTUAL PROPERTY LAW

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OFFICES IN DALLAS, TEXAS  
AND SAN JOSE, CALIFORNIA

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DALLAS, TEXAS 75379

July 5, 2000

Ms. Linda Hodge-Taylor  
Supervisor,  
Technical Support, Group 2800  
United States Patent and Trademark Office  
Crystal Plaza IV  
Room D-21  
Crystal City, VA 22202

Re: Serial No. 09/315,796 to Davis et al.  
Our File: WILL 2501

Dear Ms. Hodge-Taylor:

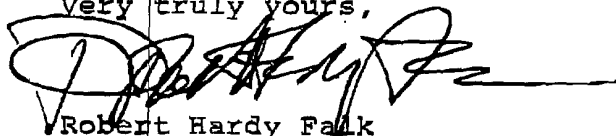
Enclosed is a copy of the letter I spoke of that was faxed to Mr. Hilten on Monday. I was under the impression that he was going to fax to me an extension late Monday or early today. Today I could not reach him.

The office action of June 6 was clearly mailed June 7. According to the rules and the MPEP, I am entitled to at least another day. Take care and correct my address for correspondence (the office action of June 6, nee June 7, was misaddressed):

Robert Hardy Falk  
FALK & FISH l.l.p.  
Post Office Box 794748  
Dallas, Texas 75379  
tel: (214) 954 4400  
fax 1: (214) 969 5941  
fax 2: (972) 716 9532

Please call me at (214) 695 3402 and fax the extension to the '9532 number today.

Very truly yours,



Robert Hardy Falk

Enclosures.

000000-9695941

**FALK & FISH**

ROBERT HARDY FALK, P.C.  
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS  
INTELLECTUAL PROPERTY LAW

ATTORNEYS AT LAW  
A TEXAS LIMITED LIABILITY PARTNERSHIP  
CHATEAU PLAZA

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DALLAS, TEXAS 75201

TELEPHONE (214) 954-4400

FACSIMILE (214) 969-5941

Internet: <http://www.patent.net>

E-Mail: [falk@patent.net](mailto:falk@patent.net)

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**FACSIMILE COVER LETTER**

FROM: Robert Hardy Falk

DATED: 7-3-2000

SENDER'S PHONE NO.: (214) 954-4400

NUMBER OF PAGES (INCLUDING COVER): 5

TIME IN: 9:15 a.m.

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: John Hilten, SPE

FIRM/COMPANY: PTO Group 2854

OUR CLIENT/MATTER NO.: \_\_\_\_\_

OFFICE TELEPHONE NO.: (703) 308 0719

FAX TELEPHONE NO.: (703) 308 5841

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If you do not receive all pages, please call (214) 954-4403 ASAP.

Thank you.

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RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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DALLAS, TEXAS 75379

July 3, 2000

John Hilton, Esq.,  
Supervisory Primary Examiner,  
Art Unit 2854  
United States Patent and Trademark Office  
Washington D.C. 20231

Re: Davis et. al. Serial No. 09/315,796  
Our File: WILL 2501

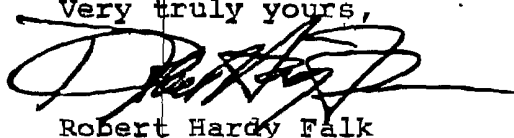
Dear John:

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Second, as requested by Steven Funk, we are supplementing our response of April 7, 2000 with exhibit and declaration testimony from Ray Prince, as well as a declaration as to derivation of reissue applicants adversaries from reissue applicants and Rule 131 testimony as well. This will all be sent in this week. Expert Ray Prince is available July 12, 13, 14 or July 17, 18 or 19 or August 1. See how this fits in with your schedule and Steve Funk's schedule, O.K.? Please call me back at 214 695-3402 or 972 716 9544.

Third, you need to keep this file secure. The papers filed confidentially under the petition to expunge were obtained by our adversaries in the litigation by mid-April 2000 without Court order, or from us, or PTO order. Worse, the last office action mailed February 9, 2000 to us, dated falsely February 8, 2000, was in their hands by February 11, 2000, before we had received it. I want to know answers to a number of questions, not the least of which is how the adversaries got ahold of this action immediately after it was mailed.

Very truly yours,



Robert Hardy Falk

Enclosures.

p.s.: My post office box is Box 794748, not 794948 as on the office action. Get your clerk to get it right.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

B WILL-2801

EXAMINER

MMC270606

FLUNK, C.

ART UNIT

PAPER NUMBER

ROBERT HARDY FALK  
FALK & FISH LLP  
P. O. box 794940  
DALLAS TX 753972854  
DATE MAILED: 06/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

6607350-9625760

Serial No. 09/315,796  
Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. **NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).**

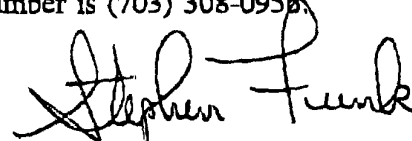
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stephen Funk  
June 1, 2000

  
**STEPHEN R. FUNK  
PRIMARY EXAMINER**

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## FALK &amp; FISH

ROBERT HARDY FALK, P.C.  
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ATTORNEYS AND COUNSELORS  
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Internet: <http://www.patent.net>  
EMail: [folk@patent.net](mailto:folk@patent.net)OFFICES IN DALLAS, TEXAS  
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## FACSIMILE COVER LETTER

FROM: Robert Hardy FalkDATED: 7-6-2000

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NUMBER OF PAGES (INCLUDING COVER): 13TIME IN: 9:20 a.m. CST

PLEASE DELIVER THE FOLLOWING PAGES TO:

TOP OF DESKNAME: John Hilten, S.P.E.FIRM/COMPANY: PTO Group 2854OUR CLIENT/MATTER NO.: WILL 2501OFFICE TELEPHONE NO.: (703) 308 0719FAX TELEPHONE NO.: (703) 308 7722, (703) 308 5841

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Thank you.

660250-96/STED

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July 6, 2000

John Hilten, Esq.,  
Supervisory Primary Examiner,  
Art Unit 2854  
United States Patent and Trademark Office  
Washington, D.C. 20231

Re: Davis et al., Serial No. 09/315,796  
Our File: WILL 2501

Dear John:

I tried several times to reach you after the holiday, yesterday, and was unsuccessful. Linda Hodge-Taylor granted the one-day extension, and unless I hear from you immediately, I will assume you or in accord. My secretary has an intestinal problem and had almost had to go to the hospital. Enclosed are my correspondence with her.

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Very truly yours,



Robert Hardy Falk

Enclosures.

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G. BYRON JAMISON, SPECIAL COUNSEL

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DATED: 7-3-2000

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OUR CLIENT/MATTER NO.: \_\_\_\_\_

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FAX TELEPHONE NO.: (703) 308 5841

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RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS  
INTELLECTUAL PROPERTY LAW

ATTORNEYS AT LAW  
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AND SAN JOSE, CALIFORNIA

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P.O. BOX 794748  
DALLAS, TEXAS 75379

July 3, 2000

John Hilton, Esq.,  
Supervisory Primary Examiner,  
Art Unit 2854  
United States Patent and Trademark Office  
Washington D.C. 20231

Re: Davis et. al. Serial No. 09/315,796  
Our File: WILL 2501

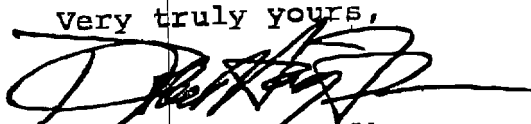
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Robert Hardy Falk

Enclosures.  
p.s.: My post office box is Box 794748, not 794948 as on the office action. Get your clerk to get it right.

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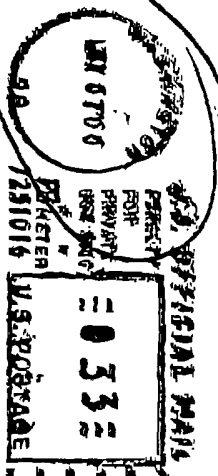
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P. 6/7


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Patent and Trademark Office**

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Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

K WILL-2501

EXAMINER

MMC2/0606

 ROBERT HARDY FALK  
FALK & FISH LLP  
P. O. BOX 794940  
DALLAS TX 75397

FLINK C

ART UNIT

PAPER NUMBER

2854

DATE MAILED:

06/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

660250-96257E60

Serial No. 09/315,796  
Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

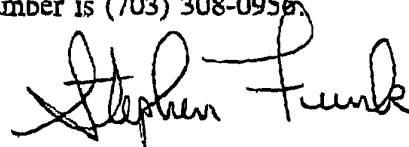
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk whose telephone number is (703) 308-0982. The examiner can normally be reached on Monday - Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten, can be reached at (703) 308-0719. The fax number for incoming official papers is (703) 308-7722, 7724. The fax number for informal papers in Art Unit 2854 is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stephen Funk  
June 1, 2000

  
STEPHEN R. FUNK  
PRIMARY EXAMINER

FAX COPY RECEIVED

JUL 06 2000

TECHNOLOGY CENTER 2800

ROBERT HARDY FALK, P.C.  
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS  
INTELLECTUAL PROPERTY LAWATTORNEYS AT LAW  
A TEXAS LIMITED LIABILITY PARTNERSHIPCHATEAU PLAZA  
2515 MCKINNEY AVE, SUITE 1565  
DALLAS, TEXAS 75201TELEPHONE (214) 954-4400  
FACSIMILE (214) 969-5941Internet: <http://www.patent.net>EMail: [falk@patent.net](mailto:falk@patent.net)OFFICES IN DALLAS, TEXAS  
AND SAN JOSE, CALIFORNIAMAILING ADDRESS  
P.O. BOX 794748  
DALLAS, TEXAS 75379

## FACSIMILE COVER LETTER

FROM: Robert Hardy FalkDATED: 7-6-2000

SENDER'S PHONE NO.: (214) 954-4400

NUMBER OF PAGES (INCLUDING COVER): 13TIME IN: 9:20 a.m. CST

PLEASE DELIVER THE FOLLOWING PAGES TO:

TOP OF DESK

NAME:

John Hilten, S.P.E.

FIRM/COMPANY:

PTO Group 2854

OUR CLIENT/MATTER NO.:

WILL 2501

OFFICE TELEPHONE NO.:

(703) 308 0719

FAX TELEPHONE NO.:

(703) 308 7722, (703) 308 5841

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Thank you.

650750 9695760

## FALK &amp; FISH

ROBERT HARDY FALK, P.C.  
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS  
INTELLECTUAL PROPERTY LAW

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FACSIMILE (214) 969-5941  
Internet: <http://www.patent.net>  
EMail: [falk@patent.net](mailto:falk@patent.net)

OFFICES IN DALLAS, TEXAS  
AND SAN JOSE, CALIFORNIA

MAILING ADDRESS  
P.O. BOX 794748  
DALLAS, TEXAS 75379

July 6, 2000

John Hilten, Esq.,  
Supervisory Primary Examiner,  
Art Unit 2854  
United States Patent and Trademark Office  
Washington, D.C. 20231


Re: Davis et al., Serial No. 09/315,796  
Our File: WILL 2501

Dear John:

I tried several times to reach you after the holiday, yesterday, and was unsuccessful. Linda Hodge-Taylor granted the one-day extension, and unless I hear from you immediately, I will assume you or in accord. My secretary has an intestinal problem and had almost had to go to the hospital. Enclosed are my correspondence with her.

I need from you the dates you and Mr. Funk are available for the continuation of the interview. We gave you Mr. Prince's available dates, in our last correspondence, attached.

Very truly yours,



Robert Hardy Falk

Enclosures.

FAX COPY RECEIVED  
JUL 06 2000  
TECHNOLOGY CENTER 2800

660250-46257570



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

## TECHNOLOGY CENTER 2800

### TELECOPY/FACSIMILE TRANSMISSION COVER SHEET

DATE:

7/5/00

TO:

NAME:

William Falk

COMPANY/FIRM:

FAX NO:

972-716-9532

FROM:

NAME:

Linda M. Hodge - Taylor

COMPANY/FIRM:

Patent & Trademark

FAX NO/PHONE NO:

703-308-3765

NUMBER OF PAGES 2 INCLUDING COVER SHEET.

REMARKS:

SN. 09/315,796

If you have not received all pages of this transmission, please contact  
Technology Center 2800 at:

Receptionist:

(703) 308-1782

Fax:

(703) 305-[REDACTED]

305-1341

FROM 3545TE60

Wednesday, July 05, 2000

7/5/00 2:45 PM

SERIAL NO.: 09/315,796 - Reissue  
INVENTOR(S) : Davis, Bill L. et al.  
FILING DATE: 5/20/99  
ATTORNEY'S DOCKET # WILL-2501

TITLE OF INVENTION: COMBINED LITHOGRAPHIC/FLEXOGRAPHIC PRINTING  
APPARATUS AND PROCESS

Per our conversation on July 5, 2000 2:45:36 PM EST - Your Faxed information has been received.  
reviewed and noted by the PTO.

Spoke with Robert Falk. Faxing this note to 972-716-9532

Respectfully Submitted,

Linda Hodge-Taylor, Head *Linda Hodge-Taylor*  
Supervisory Legal Instrumental Examiner  
Technology Center 2800

703-308-3765  
Linda Hodge-Taylor  
Crystal Plaza 4 - 11- D21  
2201 South Clark Place  
Arlington, Va 22202

650250" 3645160



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

**TECHNOLOGY CENTER 2800**  
**TELECOPY/FACSIMILE**  
**TRANSMISSION COVER SHEET**

DATE: 7/5/00

TO:

NAME:

William Falk

COMPANY/FIRM:

FAX NO:

972-716-9532

FROM:

NAME:

Linda M. Hodge - Taylor

COMPANY/FIRM:

Patent & Trademarks

FAX NO/PHONE NO:

703-308-3765

NUMBER OF PAGES 2 INCLUDING COVER SHEET.

REMARKS:

sn. 09/315,796

If you have not received all pages of this transmission, please contact  
Technology Center 2800 at:

Receptionist:

(703) 308-1782

Fax:

(703) 305-[REDACTED]

305-1341

660250 96257660

Wednesday, July 05, 2000

SERIAL NO.: 09/315,796 - Reissue  
INVENTOR(S) : Davis, Bill L. et al.  
FILING DATE: 5/20/99  
ATTORNEY'S DOCKET # WILL-2501

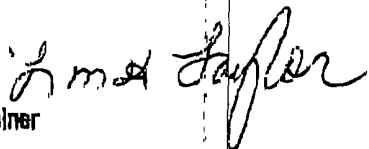
**TITLE OF INVENTION: COMBINED LITHOGRAPHIC/FLEXOGRAPHIC PRINTING  
APPARATUS AND PROCESS**

Per our conversation on July 5, 2000 12:30 EST - Your request for an additional day, due to the incorrect date on the mailing envelope is approved.

Spoke with Robert Falk. Faxing this note to 972-716-9532

Respectfully Submitted,

Linda Hodge-Taylor, Head  
Supervisory Legal Instrumental Examiner  
Technology Center 2800



703-308-3765  
Linda Hodge-Taylor  
Crystal Plaza 4 - 11- D21  
2201 South Clark Place  
Arlington, Va 22202

667357-9625660

# FALK & FISH

ROBERT HARDY FALK, P.C.  
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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FACSIMILE (214) 969-5941

Internet: <http://www.patent.net>  
E-Mail: [falk@patent.net](mailto:falk@patent.net)

**OFFICES IN DALLAS, TEXAS  
AND SAN JOSE, CALIFORNIA**

MAILING ADDRESS  
P.O. BOX 794748  
DALLAS, TEXAS 75379

# FACSIMILE COVER LETTER

FROM: Robert Hardy Falk

**DATED:** 7-5-'2000

SENDER'S PHONE NO.: (214) 954-1100

NUMBER OF PAGES (INCLUDING COVER): 7

TIME IN: 1:15 p.m. CST

**PLEASE DELIVER THE FOLLOWING PAGES TO:**

NAME: Linda Hodge-Taylor

**FIRM/COMPANY:** Supervisor, Tech Support, Group 2800 PTO

OUR CLIENT/MATTER NO.: WILL 2501

OFFICE TELEPHONE NO.: (703) 308 3765

FAX TELEPHONE NO.: (703) 305 1341

### SPECIAL INSTRUCTIONS .

Please fax extension for 1 day to 7-7 to (972) 716 7532

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**If you do not receive all pages, please call (214) 954-1403 ASAP.**

**Thank you.**

## FALK &amp; FISH

ROBERT HARDY FALK, P.C.  
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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INTELLECTUAL PROPERTY LAW

ATTORNEYS AT LAW  
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CHATEAU PLAZA  
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DALLAS, TEXAS 75201  
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Internet: <http://www.patent.net>  
EMail: [falk@patent.net](mailto:falk@patent.net)

OFFICES IN DALLAS, TEXAS  
AND SAN JOSE, CALIFORNIA

MAILING ADDRESS  
P.O. BOX 794748  
DALLAS, TEXAS 75379

July 5, 2000

Ms. Linda Hodge-Taylor  
Supervisor,  
Technical Support, Group 2800  
United States Patent and Trademark Office  
Crystal Plaza IV  
Room D-21  
Crystal City, VA 22202

Re: Serial No. 09/315,796 to Davis et al.  
Our File: WILL 2501

Dear Ms. Hodge-Taylor:

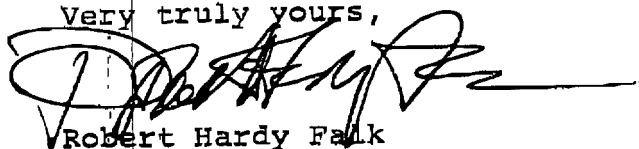
Enclosed is a copy of the letter I spoke of that was faxed to Mr. Hiltten on Monday. I was under the impression that he was going to fax to me an extension late Monday or early today. Today I could not reach him.

The office action of June 6 was clearly mailed June 7. According to the rules and the MPEP, I am entitled to at least another day. Take care and correct my address for correspondence (the office action of June 6, nee June 7, was misaddressed):

Robert Hardy Falk  
FALK & FISH, l.l.p.  
Post Office Box 794748  
Dallas, Texas 75379  
tel: (214) 954 4400  
fax 1: (214) 969 5941  
fax 2: (972) 716 9532

Please call me at (214) 695 3402 and fax the extension to the '9532 number today.

Very truly yours,

  
Robert Hardy Falk

Enclosures.

660350-06251660

## FALK &amp; FISH

ROBERT HARDY FALK, P.C.  
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS  
INTELLECTUAL PROPERTY LAW

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AND SAN JOSE, CALIFORNIA

MAILING ADDRESS  
P.O. BOX 794748  
DALLAS, TEXAS 75379

## FACSIMILE COVER LETTER

FROM: Robert Hardy Falk

DATED: 7-3-2000

SENDER'S PHONE NO.: (214) 954-4400

NUMBER OF PAGES (INCLUDING COVER): 5

TIME IN: 9:15 a.m.

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME:

John Hilten, SPE

FIRM/COMPANY:

PTO Group 2854

OUR CLIENT/MATTER NO.: \_\_\_\_\_

OFFICE TELEPHONE NO.:

(703) 308 0719

FAX TELEPHONE NO.: (703) 308 5841

SPECIAL INSTRUCTIONS

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If you do not receive all pages, please call (214) 954-4403 ASAP.

Thank you.

5607507 06/25/00

## FALK &amp; FISH

ROBERT HARDY FALK, P.C.  
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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OFFICES IN DALLAS, TEXAS  
AND SAN JOSE, CALIFORNIA

MAILING ADDRESS  
P.O. BOX 794748  
DALLAS, TEXAS 75379

July 3, 2000

John Hilton, Esq.,  
Supervisory Primary Examiner,  
Art Unit 2854  
United States Patent and Trademark Office  
Washington D.C. 20231

Re: Davis et. al. Serial No. 09/315,796  
Our File: WILL 2501

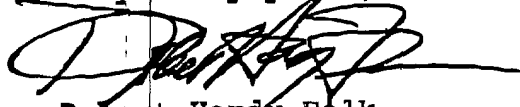
Dear John:

Confirming our telephone conversation this morning, please extend the time to response to the outstanding office action one day to July 7, 2000. The mail stamp on the office action was wrong, it was actually mailed June 7, 2000, not June 6, 2000. Please fax the extension to 972-716-9532 and 214 969 5941.

Second, as requested by Steven Funk, we are supplementing our response of April 7, 2000 with exhibit and declaration testimony from Ray Prince, as well as a declaration as to derivation of reissue applicants adversaries from reissue applicants and Rule 131 testimony as well. This will all be sent in this week. Expert Ray Prince is available July 12, 13, 14 or July 17, 18 or 19 or August 1. See how this fits in with your schedule and Steve Funk's schedule, O.K.? Please call me back at 214 695-3402 or 972 716 9544.

Third, you need to keep this file secure. The papers filed confidentially under the petition to expunge were obtained by our adversaries in the litigation by mid-April 2000 without Court order, or from us, or PTO order. Worse, the last office action mailed February 9, 2000 to us, dated falsely February 8, 2000, was in their hands by February 11, 2000, before we had received it. I want to know answers to a number of questions, not the least of which is how the adversaries got ahold of this action immediately after it was mailed.

Very truly yours,



Robert Hardy Falk

Enclosures.  
p.s.: My post  
action.

office box is Box 794748, not 794948 as on the office  
Get your clerk to get it right.

660250-9545750

Overhauled

CO2

**Bida / Boom**

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U.S. DEPARTMENT OF COMMERCE

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PATENT AND TRADEMARK OFFICE

WASHINGTON, D.C. 20231

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across the side

Figure 1 is a line graph titled 'Percentage of total catch versus percentage of total effort'. The x-axis represents 'Percentage of total effort' from 0 to 100. The y-axis represents 'Percentage of total catch' from 0 to 100. The graph shows the relative catch efficiency of different fish species based on the effort expended. The species tracked are Yellow perch, Rock bass, White perch, and Striped bass. Yellow perch shows a high catch percentage for low effort, while Rock bass and White perch show higher catch percentages as effort increases. Striped bass shows a more moderate catch percentage across the effort range.

Percentage of total effort	Yellow perch (%)	Rock bass (%)	White perch (%)	Striped bass (%)
0	0	0	0	0
10	80	10	5	5
20	75	15	10	10
30	70	20	15	15
40	65	25	20	20
50	60	30	25	25
60	55	35	30	30
70	50	40	35	35
80	45	45	40	40
90	40	50	45	45
100	35	55	50	50



Serial No. 09/315,796  
Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

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Stephen Funk  
June 1, 2000

  
STEPHEN R. FUNK  
PRIMARY EXAMINER